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8 Attorneys for Nominal Defendant
Brocade Communications Systems, Inc.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

13 ANDREW E. ROTH, derivatively on behalf of)
BROCADE COMMUNICATIONS SYSTEMS,)
14 INC.,)

15 Plaintiff,)

16 v.)

17 GREGORY REYES, MICHAEL BYRD,)
ANTONIO CANOVA, JACK CUTHBERT, and)
18 BROCADE COMMUNICATIONS SYSTEMS,)
INC.,)

19 Defendants.)
20)
21)

CASE NO.: C-06-2786 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING RESPONSE
TO COMPLAINT**

STIPULATION

WHEREAS, pursuant to the Court's February 13, 2007 Memorandum and Order, plaintiff filed his second amended complaint on April 30, 2007;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, subject to approval of the Court, that:

Nominal defendant Brocade Communications Systems, Inc. shall respond to the second amended complaint by June 11, 2007;

Individual defendants Greg Reyes, Anthony Canova, Michael Byrd and Jack Cuthbert shall respond to the second amended complaint by June 18, 2007.

Plaintiff's opposition to any motions to dismiss filed in response to the second amended complaint will be due July 23, 2007;

Defendants' reply briefs will be due August 20, 2007;

Oral Argument shall be heard on such motions on September 7, 2007.

Dated: May 7, 2007

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Katherine L. Henderson
Katherine L. Henderson

Attorneys for Defendant
Brocade Communications Systems, Inc.

Dated: May 7, 2007

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Counsel for Plaintiff Andrew E. Roth

Dated: May 7, 2007

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Dated: May 7, 2007

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Counsel for Defendant Antonio Canova

Dated: May 7, 2007

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Dated: May 7, 2007

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Counsel for Defendant Gregory Reyes

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING,
IT IS SO ORDERED.

Dated: May 8, 2007

THE HONORABLE CHARLES R. BREYER
United States District Judge

